



UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
20-cv-00356-JLR

OSCAR LEE OLIVE, IV., an individual  
*Plaintiff,*

vs.

HAYLEY MARIE ROBINSON,  
*Defendant.*

Case No.: ~~C19-0211 JCC~~

ANSWER TO COMPLAINT

**COMES NOW** Defendant Hayley Marie Robinson and answers the Plaintiff's Complaint  
as follows:

**PARTIES**

1. Defendant Hayley Marie Robinson is without knowledge or information sufficient to  
form a belief as to the truth of the allegations contained in paragraph 1 of Plaintiff's Complaint  
and on that basis, denies them.

2. Defendant Hayley Marie Robinson admits the allegations contained in paragraph 2 of  
the Plaintiff's Complaint.

ANSWER TO COMPLAINT

HAYLEY MARIE ROBINSON  
487 WESTERLY ROAD, #102  
BELLINGHAM, WA 98226

1           3. Defendant Hayley Marie Robinson is without knowledge or enough information to  
2 form a belief as to the truth of the allegations contained in paragraph 3 of Plaintiff's Complaint  
3 and on that basis, denies them.  
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5           4. Defendant Hayley Marie Robinson is without knowledge or enough information to  
6 form a belief as to the truth of the allegations contained in paragraph 4 of Plaintiff's Complaint  
7 and on that basis, denies them.  
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9           5. Defendant Hayley Marie Robinson is without knowledge or enough information to  
10 form a belief as to the truth of the allegations contained in paragraph 5 of Plaintiff's Complaint  
11 and on that basis, denies them.  
12

#### 12                                   JURISDICTION AND VENUE

13           6. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 6 of  
14 the Plaintiff's Complaint.  
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16           7. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 7 of  
17 the Plaintiff's Complaint.  
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#### 18                                   FACTS

19           8. Defendant Hayley Marie Robinson admits the allegations contained in paragraph 8 of  
20 the Plaintiff's Complaint.  
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22           9. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 9 of  
23 the Plaintiff's Complaint.  
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25           10. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 10  
26 of the Plaintiff's Complaint.  
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11. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 11 of the Plaintiff's Complaint. Any statements made by Defendant Hayley Robinson were true or constitute opinions, which are protected speech and not actionable under First Amendment to the US Constitution, Section 11, Article I, Section 5 of the Washington Constitution and Article 40 of the Maryland Constitution. The Plaintiff was discharged from the United States Marine Corp under other than honorable conditions. The "Administrative Discharge Board Report: Findings and Recommendations in the Case of Staff Sergeant Oscar L. Olive IV 1275292407/5512 USMC" ("Report, Findings and Recommendations") states, inter alia, that the Plaintiff was discharged from the military under "other than honorable" conditions. The Report, Findings and Recommendations state that the Administrative Discharge Board determined by a majority vote that the preponderance of the evidence proves Article 92 and 120 alleged in the notification ("charging document"). On information and belief, the reference is to Article 92 and Article 120 of the Uniform Code of Military Justice. Article 92 is "Failure to obey order or regulation" (10 U.S. Code § 892). Article 120 is "Rape and sexual assault generally." 10 U.S. Code § 920.

12. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 12 of the Plaintiff's Complaint.

13. Defendant Hayley Marie Robinson admits she filed chapter 7 bankruptcy.

14. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 14 of the Plaintiff's Complaint.

15. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 15 of the Plaintiff's Complaint.

ANSWER TO COMPLAINT

HAYLEY MARIE ROBINSON  
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1 16. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 16  
2 of the Plaintiff's Complaint.

3 17. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 17  
4 of the Plaintiff's Complaint.

5 18. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 18  
6 of the Plaintiff's Complaint.

7 19. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 19  
8 of the Plaintiff's Complaint.

9 20. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 20  
10 of the Plaintiff's Complaint.

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13 FIRST CAUSE OF ACTION DEFAMATION

14 21. Defendant Hayley Marie Robinson repeats the answers set forth in paragraphs 1  
15 through 20 of this answer.

16 22. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 22  
17 of the Plaintiff's Complaint.

18 23. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 23  
19 of the Plaintiff's Complaint.

20 24. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 24  
21 of the Plaintiff's Complaint.

22 25. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 25  
23 of the Plaintiff's Complaint.

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27 SECOND CAUSE OF ACTION

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ANSWER TO COMPLAINT

HAYLEY MARIE ROBINSON  
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INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

26. Defendant Hayley Marie Robinson repeats the answers set forth in paragraphs 1 through 25 of this answer.

27. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 27 of the Plaintiff's Complaint.

28. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 28 of the Plaintiff's Complaint.

29. Defendant Hayley Marie Robinson denies the allegations contained in paragraph 29 of the Plaintiff's Complaint.

OTHER ALLEGATIONS

30. Defendant Hayley Marie Robinson denies every other allegation in Plaintiff's complaint not specifically admitted.

RESERVATION OF RIGHTS

31. Defendant Hayley Marie Robinson reserves the right to amend any of the above answers upon further discovery; to bring further counterclaims, third-party claims, or cross-claims against Plaintiff and any known or unknown defendant upon further discovery; to add, delete or revise any affirmative defense currently pled or to be pled in the future upon further discovery, and; to amend his prayer for relief upon further discovery.

AFFIRMATIVE DEFENSES

**HAVING ANSWERED** Plaintiff's Complaint Defendant Hayley Marie Robinson now asserts the following affirmative defenses.

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HAYLEY MARIE ROBINSON  
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1           1. First Affirmative Defense. Freedom of Speech. The complaint is barred by the First  
2 Amendment to the United States Constitution, Section 11, the Washington Constitution, Article  
3 I, Section 5 and the Maryland Constitution, Article 40. The statements are protected speech and  
4 not actionable.  
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6           2. Second Affirmative Defense. Truth. Any statements made by Defendant Hayley  
7 Robinson were true. The Plaintiff was discharged from the United States Marine Corp under  
8 other than honorable conditions. The "Administrative Discharge Board Report: Findings and  
9 Recommendations in the Case of Staff Sergeant Oscar L. Olive IV 1275292407/5512 USMC"  
10 ("Report, Findings and Recommendations") states, inter alia, that the Plaintiff was discharged  
11 from the military under "other than honorable" conditions. The Report, Findings and  
12 Recommendations state that the Administrative Discharge Board determined by a majority vote  
13 that the preponderance of the evidence proves Article 92 and 120 alleged in the notification  
14 ("charging document"). On information and belief, the reference is to Article 92 and Article 120  
15 of the Uniform Code of Military Justice. Article 92 is "Failure to obey order or regulation" (10  
16 U.S. Code § 892). Article 120 is "Rape and sexual assault generally." 10 U.S. Code § 920.  
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19           3. Third Affirmative Defense. Opinion. Any statements made by Defendant Hayley  
20 Robinson constitute opinions, which are protected speech and not actionable.  
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22           4. Fourth Affirmative Defense. The Complaint fails to state a claim upon which relief  
23 can be granted.

24           5. Fifth Affirmative Defense. The Complaint is barred, in whole or in part, by the  
25 conduct, actions and inactions of Plaintiff, which amount to and constitute an estoppel of the  
26 claims and any relief sought thereby. The Plaintiff has acted unethically and in bad faith with  
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1 respect to the subject of the complaint. The plaintiff is guilty of immoral, unconscionable  
2 conduct.

3 6. Sixth Affirmative Defense. If Plaintiff suffered or sustained any loss, injury, damage  
4 or detriment, the same was directly and proximately caused and contributed to by the breach,  
5 conduct, acts, omissions, and/or activities of Plaintiff, and not the Defendant.  
6

7 7. Seventh Affirmative Defense. Justification. The Defendant's actions were necessary  
8 to protect herself or others from harm.  
9

10 8. Eighth Affirmative Defense. Meritless and frivolous lawsuit. The complaint  
11 constitutes frivolous conduct and is sanctionable under Civil Rule 11. There is no legal or  
12 factual basis for the filing of this lawsuit. This is the third lawsuit the Plaintiff has filed against  
13 Defendant. The first was filed on June 14, 2018 in the United States District Court for the  
14 Western District of Washington, case number 18-cv-00862. The second case was filed in the  
15 United States Bankruptcy Court for the Western District of Washington on August 20, 2019,  
16 case number Adv. Proc. No. 19-01105. The bankruptcy proceeding was scheduled for trial on  
17 March 20, 2020 but was continued to June 5, 2020 due to COVID-19. The discovery deadline  
18 has passed. This third case, which was filed on March 4, 2020 contains the same allegations as  
19 the other two complaints. This lawsuit is meritless and frivolous.  
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22 9. Ninth Affirmative Defense. Defendant Hayley Robinson expressly reserves the right  
23 to assert such other and further affirmative defenses as may be appropriate.  
24

#### 25 V. COUNTERCLAIM

26 By way of further answer and as a counterclaim to the Plaintiff's complaint, Defendant  
27 Hayley Robinson alleges as follows:  
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1           1. The Plaintiff was discharged from the United States Marine Corp under other than  
2 honorable conditions. The "Administrative Discharge Board Report: Findings and  
3 Recommendations in the Case of Staff Sergeant Oscar L. Olive IV 1275292407/5512 USMC"  
4 ("Report, Findings and Recommendations") states, inter alia, that the Plaintiff was discharged  
5 from the military under "other than honorable" conditions. The Report, Findings and  
6 Recommendations state that the Administrative Discharge Board determined by a majority vote  
7 that the preponderance of the evidence proves Article 92 and 120 alleged in the notification  
8 ("charging document"). On information and belief, the reference is to Article 92 and Article 120  
9 of the Uniform Code of Military Justice. Article 92 is "Failure to obey order or regulation" (10  
10 U.S. Code § 892). Article 120 is "Rape and sexual assault generally." 10 U.S. Code § 920.

11           2. Any statements made by Defendant Hayley Robinson were either true or constitute  
12 opinions and are not actionable. They are protected speech under the United States Constitution,  
13 Section 11, the Washington Constitution, Article I, Section 5 and the Maryland Constitution,  
14 Article 40.

15           3. Notwithstanding the truthful nature of Defendant Hayley Robinsons statements the  
16 Plaintiff has nevertheless, in bad faith, filed three frivolous and vexatious lawsuits setting forth  
17 meritless claims with no legal or factual basis alleging preposterous damages to cause her harm,  
18 get her to retract her statements and financial gain. Plaintiff's actions are an abuse of the legal  
19 process for which Defendant should be compensated.

20           4. Plaintiff has filed frivolous litigation knowing it would be cumbersome and expensive  
21 for Defendant Hayley Robinson to defend and calculated to chill her right to free speech.

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1           5. The allegations in the complaint have no basis in law. The true purpose of this lawsuit  
 2 is to suppress public disclosure and discourse which is true but critical of the Plaintiff. The  
 3 Plaintiff has filed this and other lawsuits to harass and maliciously injure Defendant Hayley  
 4 Robinson.

6           6. The allegations and prayer for relief in the complaint is not warranted under existing  
 7 law, cannot be supported by a good faith argument for an extension, modification, or reversal of  
 8 existing law, and/or cannot be supported by a good faith argument for the establishment of new  
 9 law.  
 10

11           7. The federal court rules provide, in part, that the signature of a pro se party constitutes a  
 12 certificate by the party that the party has read the document; that to the best of the party's  
 13 knowledge, information, and belief there is good ground to support it; and that it is not being  
 14 presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly  
 15 increase the cost of litigation. Federal Rule of Civil Procedure 11(a) and (b). If, after notice and  
 16 a reasonable opportunity to respond, the court determines that Rule 11(b) has been violated, the  
 17 court may impose an appropriate sanction on any attorney, law firm, or party that violated the  
 18 rule or is responsible for the violation. Federal Rule of Civil Procedure 11(c).  
 19

20           8. This is a meritless and frivolous lawsuit filed in violation of Federal Rule of Civil  
 21 Procedure 11. There is no good ground to support the Plaintiff's claims in the complaint. It is  
 22 being presented to suppress Defendant Hayley Robinson's freedom of speech and for the  
 23 improper purpose to harass, cause unnecessary delay, or needlessly increase the cost of litigation.  
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#### 25           FRIVOLOUS ACTION

26           9. Defendant Hayley Marie Robinson repeats and incorporates all prior allegations.  
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28           ANSWER TO COMPLAINT

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1           10. The Plaintiff's lawsuit is "frivolous and advanced without reasonable cause" as  
2 provided by RCW 4.84.185.

3           11. The Plaintiff's actions are sanctionable under RCW 4.84.185.  
4

5                               RELIEF REQUESTED

6           **WHEREFORE** Defendant Hayley Robinson requests that judgment be entered as  
7 follows:

8           1. Dismissing the Plaintiff's complaint with prejudice and without an award of costs to  
9 him;  
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11           2. Awarding Defendant Hayley Robinson damages on her counterclaim in the amount of  
12 \$15,000 or in an amount to be established at the time of trial;

13           3. Awarding Defendant Hayley Robinson her statutory costs and attorney fees; and

14           4. Awarding Defendant Hayley Robinson any further relief which the court finds  
15 appropriate, equitable or just.  
16

17           2. Awarding Defendant further relief which the court finds appropriate, equitable or just.  
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19           Dated: 03/28/2020

/s/ Hayley Robinson

20                               Hayley Robinson, Defendant  
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ANSWER TO COMPLAINT

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DECLARATION OF MAILING

THE UNDERSIGNED CERTIFIES UNDER PENALTY OF PERJURY THAT ON 03/28/2020 THE UNDERSIGNED CAUSED TO BE DELIVERED EITHER BY FIRST CLASS MAIL, LEGAL MESSENGER OR ELECTRONICALLY A COPY OF THIS ANSWER TO COMPLAINT TO THE PLAINTIFF, OSCAR LEE OLIVE, IV AT 101 N. OCEAN DR., STE. 132, HOLLYWOOD, FL 33019 AND EMAIL: OSCAR.L.OLIVE@GMAIL.COM.

Dated: 03/28/2020

/s/ Hayley Marie Robinson

Hayley Marie Robinson, Defendant

ANSWER TO COMPLAINT

HAYLEY MARIE ROBINSON  
487 WESTERLY ROAD, #102  
BELLINGHAM, WA 98226

Robinson  
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m, WA 98226



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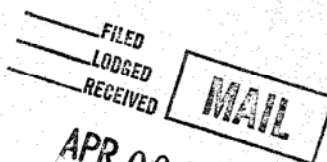
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U.S. District Court clerk's office  
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